

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
GETRO MILFORT,

Plaintiff,

-against-

COURT OFFICER FELIX PREVETE and
COURT OFFICER CHRISTOPHER
FERRARI,

Defendants.
-----X

**VERDICT FORM WITH
RESPECT TO COURT OFFICER
FELIX PREVETE**

10-CV-4467
(Kuntz, J.)

Nothing said in the Verdict Form is meant to suggest what your verdict should be. You alone have the responsibility for deciding the verdict.

Verdict Form

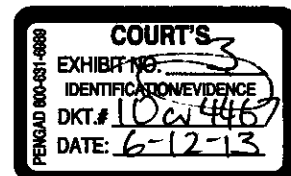
WE, the jury, unanimously find, with respect to each question below, that the Plaintiff GETRO MILFORT has satisfied his burden of proof by a preponderance of the evidence:

*The parties have stipulated that Defendant FELIX PREVETE acted under color of state law. Therefore, you are instructed that this element is satisfied with respect to Plaintiff GETRO MILFORT'S claims under 42 U.S.C. § 1983.

Question 1

Did Defendant FELIX PREVETE intentionally or recklessly commit an act that violated Plaintiff GETRO MILFORT'S Fourth Amendment right to be free from false arrest?

Answer: ✓ Yes No



Question 2

Did Defendant FELIX PREVETE intentionally or recklessly commit an act that violated Plaintiff GETRO MILFORT'S Fourth Amendment right to be free from excessive force?

Answer: _____ Yes ☒ No

IF YOU ANSWERED "YES" TO EITHER QUESTION 1 OR QUESTION 2, PROCEED TO QUESTION 3. IF YOU ANSWERED "NO" TO BOTH QUESTION 1 AND QUESTION 2, HAVE THE FOREPERSON SIGN AND DATE THIS FORM BECAUSE YOU HAVE COMPLETED YOUR DELIBERATIONS WITH RESPECT TO DEFENDANT FELIX PREVETE.

Question 3

Would a reasonably competent police officer, faced with the circumstances before Defendant FELIX PREVETE, have known that Defendant FELIX PREVETE'S conduct violated federal law?

Answer: ☒ Yes _____ No

IF YOU ANSWERED "YES" TO QUESTION 3, PROCEED TO QUESTION 4. OTHERWISE HAVE THE FOREPERSON SIGN AND DATE THIS FORM BECAUSE YOU HAVE COMPLETED YOUR DELIBERATIONS WITH RESPECT TO DEFENDANT FELIX PREVETE.

Question 4

Did Defendant FELIX PREVETE'S acts, described in Question 1 and Question 2 above, proximately cause injury to the Plaintiff, GETRO MILFORT?

Answer: _____ Yes ☒ No

IF YOU ANSWERED "YES" TO QUESTION 4, PROCEED TO QUESTION 5(A), AND SKIP QUESTION 5(B).

IF YOU ANSWERED "NO" TO QUESTION 4, SKIP QUESTION 5(A), AND PROCEED TO QUESTION 5(B).

Question 5(A)

Please state the amount that will fairly compensate Plaintiff GETRO MILFORT for any injury he actually sustained as a result of Defendant FELIX PREVETE'S conduct.

Answer: \$ _____
(Fill in Dollar Figure)

Question 5(B)

Because we answered "No" to Question 4, Plaintiff GETRO MILFORT is awarded nominal damages in the amount of \$1.00.

AFTER ANSWERING QUESTION 5, PROCEED TO QUESTION 6.

Question 6(A)

Did Defendant FELIX PREVETE act maliciously or wantonly in violating Plaintiff GETRO MILFORT'S rights?

Answer: ✓ Yes No

IF YOU ANSWERED "YES" TO QUESTION 6(A), PROCEED TO QUESTION 6(B).
OTHERWISE, HAVE THE FOREPERSON SIGN AND DATE THIS FORM BECAUSE YOU
HAVE COMPLETED YOUR DELIBERATIONS WITH RESPECT TO DEFENDANT FELIX
PREVETE.

Question 6(B)

Do you award punitive damages against Defendant FELIX PREVETE?

Answer: ✓ Yes No

If yes, in what amount?

Answer: \$ 40000
(Fill in Dollar Figure)

THE FOREPERSON MUST SIGN AND DATE THIS VERDICT FORM.

JURY FOREPERSON: 

DATE: 6-12-13